

IN THE UNITED STATES PATENT AND
TRADEMARK OFFICE

PATENT

Applicant(s): Meichun Ruan
Jun Shen
Charles Wheeler

Atty Docket No.: 12218.1100

Serial No.: TBA

Client Ref: MO-065

Filed: Herewith

Group Art Unit: TBA

TITLE: OPTICAL MEMS SWITCHING
ARRAY WITH EMBEDDED BEAM-
CONFINING CHANNELS AND
METHOD OF OPERATING SAME

Examiner: TBA

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled OPTICAL MEMS SWITCHING ARRAY WITH EMBEDDED BEAM-CONFINING CHANNELS AND METHOD OF OPERATING SAME, the specification of which:

☒ is attached hereto.
☐ was filed on _____ as Application Serial No. _____ was amended
on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

[]

Number	Country	Filing Date
Number	Country	Filing Date

[]

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

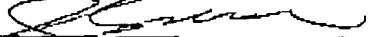
60/217,265	07/11/00
Application Number	Filing Date
60/155,757	09/23/99
Application Number	Filing Date

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information material to patentability as defined in 37 C.F.R. § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

09/563,595	05/03/00	Continuation-in-Part of 09/496,446
Application Serial No.	Filing Date	Status — Patent, Pending
09/496,446	02/02/00	Continuation-in-Part of 60/155,757
Application Serial No.	Filing date	Status — Patent, Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Meichun RuanInventor's signature: Ruan, MeichunDate: 07-11-2001Residence: Tempe Arizona USA
City State/CountryCitizenship: P.R. ChinaPost Office Address: 1050 S. Stanley Place #161 Zip Code: 85281

Full name of second joint inventor: Jun ShenInventor's signature: Date: 7/11/2001Residence: Phoenix Arizona USA
City State/Country

Citizenship: _____

Post Office Address: 14654 S. 25th Place Zip Code: 85048Full name of third joint inventor: Charles WheelerInventor's signature: Date: 7/11/01Residence: Paradise Valley Arizona USA
City State/Country

Citizenship: _____

Post Office Address: 6501 E. Hummingbird Lane Zip Code: 85253

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (d)) - NONPROFIT ORGANIZATION**Docket No
12218.1100

Serial No.

TBD

Filing Date

Herewith

Patent No.

TBD

Issue Date

TBD

Applicant/

Patentee: Meichun Ruan et al.

Invention: **OPTICAL MEMS SWITCHING ARRAY WITH EMBEDDED BEAM-CONFINING CHANNELS AND
METHOD OF OPERATING SAME**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: Arizona State UniversityADDRESS OF ORGANIZATION: P.O. Box 873511Tempe, Arizona 85287-3511**TYPE OF NONPROFIT ORGANIZATION:**

- ☒ University or other Institute of Higher Education
- ☐ Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3))
- ☐ Nonprofit Scientific or Educational under Statute of State of The United States of America
Name of State: _____ Citation of Statute: _____
- ☐ Would Qualify as Tax Exempt under Internal Revenue Service Code (26 U.S.C. 501(a) and 501(c)(3)) if Located in The United States of America
- ☐ Would Qualify as Nonprofit Scientific or Educational under Statute of State of The United States of America if Located in The United States of America
Name of State: _____ Citation of Statute: _____

I hereby declare that the above-identified nonprofit organization qualifies as a nonprofit organization as defined in 37 C.F.R. 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☒ the specification to be filed herewith.
- ☐ the application identified above
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

FULL NAME _____
ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.


NAME OF PERSON SIGNING: Alan Poskanzer 

TITLE IN ORGANIZATION: Director

ADDRESS OF PERSON SIGNING: Arizona State University

P.O. Box 873511

Tempe, Arizona 85287-3511

SIGNATURE:  DATE: 2/11/01